

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 15, 2010

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: **Councilor Carpenter**

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on April 8, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 14, 2010 in the amount of **\$ 241,556.53** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of April 8 – April 14, 2010
- Report from the Building Inspector's Office from April 6 – April 13, 2010
- Statement from the City Clerk's Office of all monies received during the month of March 2010 in the total amount of \$16,931.12.

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Kelly; Seconded by Councilor Rabideau
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 1,254,666.52 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Meghan Trim representing Center for Women’s Concerns spoke about the “Take Back the Night” event on April 30th that the Council is voting on this evening.

7. OTHER ITEMS:

Motion to remove item 7A from the Table.

By Councilor Jackson; Seconded by Councilor Valentine
Discussion: None
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to acquire title to the specific properties listed in order to collect delinquent property taxes through public auction.

By Councilor Calnon; Seconded by Councilor Kelly
Discussion:
Councilor Calnon wants to remind everyone that they are moving forward on the foreclosure process however up until the day the title actually transfers property owners can redeem their property for full payment of their taxes. The time for payment plans is behind us but the property still can be redeemed and he urges anyone who is interested to contact the City Chamberlains office and discuss it with him. They really prefer not to take someone’s property if it is in use but unfortunately we can’t suffer a circumstance where all the other tax payers in the City are supporting their cost. So he is reluctantly going to vote for this because we have to he believes. But he is encouraging anyone who has property on this list to get with the City Chamberlain and try to resolve their issues.

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to award GoTToGo Electric, Inc. Bid No. 2010-3-1 “Electric Meters Revenue Type” in the amount of \$67,880 the cost of these meters will be reimbursed through the IEEP program.

By Councilor Kelly; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves a license for operation of the Information Booth to Maria and Michael Smith dba “Ice-n-Crafts” for the May-September seasons at a fee of \$1500.

By Councilor Kelly; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves the Center for Women’s Concerns, 101 Broad Street to have a “Take Back the Night” Event and March on April 30th from 6 pm to 9:30 pm.

By Councilor Valentine; Seconded by Councilor Rabideau

Discussion:

Councilor Jackson stated that the Council heard from Police Department and they were fine with event.

Councilor Rabideau asked if it was open to public and response was yes it is open to public.

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLUTION: Delegation of Authority to Grant and Renew Outdoor Table Licenses

RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to grant and renew Outdoor Table Licenses which give the Licensee(s) the right to use part of the city sidewalk adjacent to their premises to serve food and beverages on the terms set forth in the City's standard Outdoor Table License (last revised 3/30/10).

By Councilor Kelly; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLUTION: Authorization to use parking spaces for Outdoor Tables --- Irises' Café and Wine Bar

RESOLVED: In accordance with the request therefore the Common Council approves the Outdoor Table License from the City to Irises' Café and Wine Bar shall include in the description of the area where tables are permitted, the parking spaces located directly in front of building(s) owned by the licensee, the 911 street address of which is 16-18 and 22-24 City Hall Place. The City will permit the licensee to use surplus jersey barricades, if available, and install and remove the barricades.. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works.

Motion to amend resolution to add "The dates will be from May 11, 2010 – September 30, 2010."

By Councilor Jackson; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves the Outdoor Table License from the City to Irises' Café and Wine Bar shall include in the description of the area where tables are permitted, the parking spaces located directly in front of building(s) owned by the licensee, the 911 street address of which is 16-18 and 22-24 City Hall Place. The City will permit the licensee to use surplus jersey barricades, if available, and install and remove the barricades.. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The dates will be from May 11, 2010 – September 30, 2010.

By Councilor Jackson; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(Councilors Kelly, Calnon, Valentine and Jackson voted in the affirmative. Councilor Rabideau voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLUTION: Authorization to use parking spaces for Outdoor Tables --- Olive Ridley's

RESOLVED: In accordance with the request therefore the Common Council approves the Outdoor Table License from the City to Olive Ridley's shall include in the description of the area where tables are permitted, the parking spaces located directly in front of building(s) owned by the licensee, the 911 street address of which is 37 Court Street. The City will permit the licensee to use surplus jersey barricades, if available, and install and remove the barricades. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works.

By Councilor Jackson; Seconded by Councilor Valentine

Discussion:

Councilor Jackson would like to table this resolution because they were not provided with the dates that they are requesting the Outdoor table license for the parking spaces directly in front of building.

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Tabled

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington, City Engineer to advertise for bids for Contract #2010-07 "Ready Mix Concrete."

By Councilor Rabideau; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington, City Engineer to award Steven Fuller Excavation, Contract #2010-06 "Elm Street Improvements" for the lump sum price of \$353,353.00 to be funded by capital projects H8320.66, H5110.28 and reimbursable by CDBG Grant.

By Councilor Rabideau; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council approves that the

Mayor is authorized to sign a License Agreement with the US Coast Guard Auxiliary authorizing the use of the storage building, beach and a docking area at the former PAFB marina. A copy of the License Agreement is made a part of the minutes of this meeting.

By Councilor Calnon; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

K. RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign and submit the 2010 CDBG Grant Application along with all required certifications.

By Councilor Kelly; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

L. RESOLVED: In accordance with the request therefore the Common Council approves request from Fire Chief Paul Williams that the Mayor be authorized to sign the Medical Director Contract with Dr. Jonathan Beach.

By Councilor Valentine; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

M. RESOLUTION: SEQR Determination Imperial Warehouse Renovation

RESOLVED: the Common Council having received, reviewed and filed a short Environmental Assessment Form dated 4/13/10, and a draft Negative Declaration, the Common Council finds that the planned renovations WILL NOT result in any significant adverse environmental impacts for the reasons set forth in the referenced documents.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Donald M. Kasprzak to attend the Annual NYCOM Meeting in Saratoga Springs, New York from May 16–18, 2010 at an estimated cost not to exceed \$1000.

By Councilor Jackson; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves two officers to attend the “New York Tactical Training Conference and Expo” in Verona, NY from April 26 – 29, 2010 at an estimated cost not to exceed \$1,347.98 and will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Community Development Office to advertise for bids for the 2009 Housing Rehabilitation Program “housing rehab” for 5 projects.
2. Request from the City Chamberlain to revise capital projects H5110.28 and H8320.66 to include funding from CDBG Grant 927PW126-09 of \$248,414 and \$160,000, respectively, and reduce the funding requirements from the General Fund and the Water Capital Reserve by those amounts, respectively.
3. Request from the Office of Community Development that the owner of Main St. Project 2008-4, 32-34 Oak St be allowed to borrow \$32,765 from the Office of Community Development Housing and Façade Loan Program and \$60,000 interim financing through the City’s bridge loan program to complete façade and housing improvements.

10. NEW BUSINESS:

Councilor Jackson wanted to encourage everyone to go out and support the First Half Marathon in the City

of Plattsburgh. This weekend they had the “Knock and Talk” event and it went well and thanked **Mayor Kasprzak** for attending. Reminded everyone of the Sign Amnesty that is going on today and tomorrow any stolen signs can be turned in without penalty. After that because the City of Plattsburgh is stamped on the sign it will be considered possession of stolen property. Saturday is Earth Day Celebration from 9 am – 4 pm at the Farmers Market. The MLD Board meeting is postponed until Thursday, April 22, 2010.

Councilor Valentine with the Earth Day Celebration there is a clean up piece as well. Encouraging people to start from their home with a trash bag and pick up trash on their way down to the Farmers Market. Also, the “Clean-up” day they usually have in May has been folded in to this Earth Day event so they won’t have the May clean-up day. And she wishes the “Take Back the Night” event wonderful luck with support and solidarity for this important issue we have much work to do. Planned Parenthood is having their “Rock against Rape” and there is a lot of venues around this whole subject.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:50 pm

LICENSE AGREEMENT

The City of Plattsburgh (City) hereby Grants to Plattsburgh Flotilla 15-8, United Coast Guard Auxiliary (USCGA), a license to use what is commonly referred to as the Old Airbase Marina Property, on the following terms:

1. The term of this License will commence upon execution by the Mayor. It will be subject to annual renewal, but may be terminated at any time on 48 hours' notice if the City needs the property for a city purpose, or if the USCGA violates the terms of this License.
2. The USCGA will improve an existing building on the property at its expense and use such building for mission purposes. Any such improvements to the building will remain the property of the City at the expiration or termination of this License.
3. The USCGA may install a temporary dock in the water across from said building for use by USCGA facilities. The dock shall be considered the property of the USCGA and the USCGA shall be responsible for limiting use and access of the dock to Operational Facilities and other law enforcement agencies including NYSP, DEC, US Border Patrol, Immigration, DHS, Sheriff, and US Coast Guard. Use by privately-owned vessels will not be permitted.
4. The USCGA will not block or obstruct access to the concrete pier or waterfront sand beach area by the general public. It may unload equipment and passengers at or near the building, but it shall not leave any vehicles parked at the waterfront level. The USCGA will arrange for parking with PARC, possibly at the Stone Barracks grounds.
5. The City will investigate the cost of providing electric power to the building and the installation of a portable toilet near the building. However, the City shall have no obligation to make any such improvements or provide any such services.

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6. If, when members of the USCGA are present on the property, they observe persons swimming, they will inform such persons that swimming is not permitted from the property, but is allowed at the city beach. If a swimmer fails or refuses to leave the water, the USCGA may refer the incident to the City police for further action.
 7. The USCGA, in the manner and to the extent provided by the Federal Tort Claims Act, as amended (28 UNITED States Code Sections 2671-2680), shall be liable for and shall hold the City harmless from claims for damage or loss of property, personal injury, or death caused by the acts or omissions of its members, agents, or employees

This License is granted this ____ day of April 2010.

City of Plattsburgh

By Donald M. Kasprzak, Mayor